

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

ANTHONY LIEDERMAN,)	
)	
Plaintiff,)	No. 4:18-cv-00053-JRG-SKL
v.)	
GRUNDY COUNTY SHERIFFS DEPARTMENT,)	Removed from the Circuit
SHERIFF CLINT SHRUM, OFFICERS;)	Court of Grundy County,
TONY BEAN, T. J. BEAN, LARRY SIMS,)	Tennessee
RANDY WILDS, BILLY HARRIS, JOHN DOE,)	Docket No. 8941
OFFICERS FOR GRUNDY COUNTY, CHAD)	
JOHNSON, and CODY SMITH,)	
Individually and as agents for the 12 th Judicial District)	
Drug Task Force and JOHN DOE (s) any other)	
Unknown individual or officer who participated in)	
The matter of this action,)	
)	
Defendants.)	

ANSWER

Defendants, Sheriff Clint Shrum, Tony Bean, T.J. Bean, Larry Sims, Randy Wilds, and Billy Harris, by and through counsel, for their Answer to the Plaintiff's Complaint show as follows:

FIRST DEFENSE

The Complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

The individual Defendants rely upon the defense of qualified immunity. The individual Defendants aver that they were acting within their discretionary authority and their conduct did not violate clearly established rights of which a reasonable person would have known.

THIRD DEFENSE

All or portions of the claims are barred by all other forms and versions of immunity including good faith immunity, common-law immunity, and sovereign immunity.

FOURTH DEFENSE

To the extent that Plaintiffs have relied upon vicarious liability for any causes of action based upon 42 U.S.C. 1983 or other civil rights claims, vicarious liability, including respondeat superior is not applicable to said civil rights causes of action, and any causes of action based upon any form of vicarious liability must be dismissed.

FIFTH DEFENSE

The Defendants are immune from the claims asserted by the Plaintiff in the Complaint. Defendants rely upon common law and statutory immunity provisions, including, but not limited to the immunity provisions of the Tennessee Governmental Tort Liability Act T.C.A. 29-20-201, including, without limitation, the applicable exceptions to removal of immunity under T.C.A. 29-20-205.

SIXTH DEFENSE

As to any allegations of negligence or negligence per se, Defendants allege and contend that the Plaintiffs' claims are barred by the comparative fault of Anthony Liederman.

Now, having interposed the above defenses, these Defendants answer the specific allegations of the Complaint as follows:

1. Paragraph 1 of the Complaint is denied.
2. Paragraph 2 of the Complaint is denied.
3. Paragraph 3 of the Complaint is denied.
4. Paragraph 4 of the Complaint is denied.
5. Paragraph 5 of the Complaint is denied.

6. Paragraph 6 of the Complaint is denied.

Any allegation not heretofore specifically admitted, explained or denied is here and now denied as if specifically denied herein. The Defendants specifically deny that Plaintiff is entitled to any of the relief requested. Now having fully answered the Plaintiff's Complaint, the Defendants request that they be dismissed from this case with their reasonable costs including, but not limited to, an award of attorney's fees under the provisions of 42 U.S.C. §1988 should the Court determine that Plaintiff's claims were frivolous, unreasonable or groundless.

Respectfully submitted,

SPICER RUDSTROM, PLLC

BY: /s/ Thomas E. LeQuire
Thomas E. LeQuire, BPR #06875
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing pleading was mailed to:

Anthony Liederman
226 Pickett Lake Road
Coalmont, TN 37313

by placing it in the United States Mail with sufficient postage thereto to carry it to its destination.

This 24th day of August, 2018.

SPICER RUDSTROM, PLLC

BY: /s/ Thomas E. LeQuire
Thomas E. LeQuire